

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDRES FERNANDO ARROYAVE-RAMIREZ,

Petitioner,

-against-

FCI OTISVILLE (WARDEN),

Respondent.

1:24-CV-6985 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated March 7, 2025, and entered on March 10, 2025, the Court directed Petitioner, within 30 days, to show cause why this action should not be dismissed without prejudice for failure to comply with the court's March 18, 2024 Standing Order. The Court's March 7, 2025 order specified that failure to update the court, in writing, as to Petitioner's new address, would result in dismissal of this action without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure. Petitioner has not complied by informing the court of his new address. Accordingly, the Court dismisses this action without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure.

Because the *habeas corpus* petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253.

The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, *in forma pauperis* status is denied for the purpose of an

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter a judgment for this action.

SO ORDERED.

Dated: May 12, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge